

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

CLYDE JACKSON

PLAINTIFF

V.

CASE NO. 1:04CV178

**INTERNATIONAL UNION OF OPERATING
ENGINEERS LOCAL 624**

DEFENDANT

ORDER

This cause comes before the Court on the defendant's motion in limine [99-1]. The defendant International Union of Operating Engineers Local 624 ("Local 624") seeks to exclude any reference by the plaintiff at trial to the settlement of his claims against two other defendants who were originally party to this suit, as well as any reference to settlement of charges before the National Labor Relations Board ("NLRB") brought by the plaintiff against Local 624. Local 624 argues that evidence of the plaintiff's settlement agreement with the other two defendants should be excluded because admission of such evidence might lead the jury to conclude without evidence that the other defendants actually did discriminate against the plaintiff. Likewise, Local 624 avers that it settled with the NLRB to avoid protracted litigation and that it admitted no liability in its settlement. Furthermore, Local 624 avers that the settlement itself related to an unfair labor practice under Section 8 of the National Labor Relations Act and not to race discrimination under Title VII of the Civil Rights Act of 1964, which is the basis of the plaintiff's claims in the instant case. The plaintiff has not filed any response to this motion in limine, and the time for doing so has run. Accordingly, Local 624's motion is GRANTED as unopposed.

This is the 25th day of April, 2006.

/s/ Michael P. Mills
UNITED STATES DISTRICT JUDGE